

1 Nathan G. Kanute, Esq.
 2 Nevada Bar No. 12413
 3 SNELL & WILMER L.L.P.
 4 50 West Liberty Street, Suite 510
 5 Reno, Nevada 89501-1961
 6 Telephone: (775) 785-5440
 7 Email: nkanute@swlaw.com
 8 *Attorneys for Plaintiff Prime Victor*
 9 *International Limited*

7 UNITED STATES DISTRICT COURT
 8 DISTRICT OF NEVADA

10 PRIME VICTOR INTERNATIONAL
 11 LIMITED,

Case No. 3:23-cv-00562-MMD-CLB

12 Plaintiff,

13 vs.

14 SIMULACRA CORPORATION,

15 Defendant.

16 **STIPULATION AND [PROPOSED] ORDER TO VACATE CHARGING ORDER AND**
 17 **WRIT OF EXECUTION**

18 Plaintiff Prime Victor International Limited ("Plaintiff") and Simulacra Corp
 19 ("Defendant", together with Plaintiff, the "Parties"), by and through the undersigned, hereby
 20 stipulate to the following facts:

- 21 1. On October 26, 2023, Plaintiff Prime Victor International Limited ("Plaintiff") registered
 22 with this Court the August 7, 2023 Judgment from the United States District Court for the
 23 District of Delaware, Case No. 1:23-cv-00176-MAK, against Simulacra Corp
 24 ("Defendant", together with Plaintiff, the "Parties") in favor of Plaintiff in the amount of
 25 \$1,518,862.66 plus post-judgment interest at the rate of either 5.38% or applicable
 26 statutory rate consistent with 28 U.S.C. § 1961 until paid in full (the "Judgment") [ECF
 27 No. 1], and Plaintiff has sought to enforce the Judgment in this Court.
- 28 2. On November 29, 2023, this Court entered the *Charging Order Against Simulacra*

Snell & Wilmer
 LLP
 LAW OFFICES
 50 West Liberty Street, Suite 510
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 775-785-5440

- 1 *Corporation* (the “Charging Order”) [ECF No. 8].
- 2 3. Plaintiff did not receive any payment on the Judgment as a result of the Charging Order.
- 3 4. On December 18, 2023, the Clerk of the Court signed the *Writ of Execution to the United*
- 4 *States Marshal* (the “Writ”) [ECF No. 16] directing the Marshal to collect on the
- 5 Judgment.
- 6 5. Plaintiff did not receive any property or payment on the Judgment through the execution
- 7 of the Writ.
- 8 6. On January 5, 2024, the Parties entered into a Settlement Agreement and General Release
- 9 (“Settlement Agreement”) to resolve their dispute.
- 10 7. Under the Settlement Agreement, the Parties agreed that “within 5 (five) business days of
- 11 payment of the first installment of the Settlement Amount: (a) [Defendant] shall dismiss
- 12 the Appeal, and (b) [Plaintiff] shall cease enforcing the Judgment, including dismissing
- 13 any legal proceedings seeking to enforce the Judgment.”
- 14 8. On January 10, 2024, Plaintiff received the first installment of the Settlement Amount.

15 **IT IS HEREBY STIPULATED AND AGREED**, by and among the Parties, subject to
 16 the approval of the Court, that:

17 1. The *Charging Order Against Simulacra Corporation* dated November 29, 2023
 18 [ECF No. 8], is hereby VACATED WITHOUT PREJUDICE to Plaintiff to seek the same relief
 19 in the event that Defendant breaches the Settlement Agreement; and

20 2. The *Writ of Execution to the United States Marshal* dated December 18, 2023
 21 [ECF No. 16], is hereby VACATED WITHOUT PREJUDICE to Plaintiff to seek the same relief
 22 in the event that Defendant breaches the Settlement Agreement.

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1 SO STIPULATED AND AGREED this 12th day of January, 2024.

2 SNELL & WILMER L.L.P.

Simulacra Corp

3
4 By: /s/ Nathan G. Kanute

/s/ 

5 Nathan G. Kanute (NV Bar No. 12413)

Matthew McMullen, President

6 SNELL & WILMER L.L.P.

50 West Liberty Street, Suite 510

7 Reno, Nevada 89501-1961

8 *Attorneys for Plaintiff Prime Victor*
9 *International Limited*

10 IT IS SO ORDERED:



UNITED STATE DISTRICT JUDGE

11 DATED: January 16, 2024

Snell & Wilmer

LLP
LAW OFFICES
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Reno, Nevada 89501-1961
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